



Tito Sinha &lt;tsinha@vkvlawyers.com&gt;

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**Fwd: Almonte v. 437 Morris Park - Caraballo Deposition**

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Tito Sinha &lt;tsinha@vkvlawyers.com&gt;

Fri, May 1, 2015 at 2:50 PM

To: aaletor@gandwllp.com, stuart@gandwllp.com

Cc: James Vagnini &lt;jvagnini@vkvlawyers.com&gt;, "Robert J. Valli, Jr" &lt;rvalli@vkvlawyers.com&gt;, rpvesq@gmail.com

Annette and Stuart,

Please give us a call to discuss the scheduled deposition of and production of documents by Geraldo Caraballo for Monday, May 4, at 12 noon.

As you know, FRCP Rule 45(a)(4) requires that a subpoena commanding the production of documents by a non-party must be served on all parties before it is served on the witness. As your April 27, 2015 cover letter shows, you did not serve and provide us with prior notice before serving the witness.

On that basis, we may move to quash this subpoena. Furthermore, Mr. Caraballo is represented by Abdul K. Hassan in a pending lawsuit against 1195 Sherman Avenue and his counsel in that matter must be consulted.

*Notice to Other Parties Before Service.* If the subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, then before it is served on the person to whom it is directed, a notice and a copy of the subpoena must be served on each party.

Tito

From: **Annette Aletor** <aaletor@gandwllp.com>

Date: Fri, May 1, 2015 at 1:23 PM

Subject: Almonte v. 437 Morris Park - Caraballo Deposition

To: Ana Martinez &lt;amartinez@vkvlawyers.com&gt;, Robert Valletti &lt;vallettir@vkvlawyers.com&gt;, "Robert J. Valli, Jr" &lt;rvalli@vkvlawyers.com&gt;

Dear Ana/Robert

This was sent via first class mail earlier in the week. Just incase you haven't received it, please review attached. Mr. Caraballo's deposition is scheduled for Monday May 4th at 12.00pm.

Very truly yours,

Annette Aletor, Esq.

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Goldberg and Weinberger LLP  
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